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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**ALI SALEEM BEY and JOHN
MUHAMMAD BEY,**

Plaintiffs,

vs.

CITY OF OAKLAND, et al.,

Defendants

Case No: 14-cv-01626-JSC

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO FILE DOCUMENTS
UNDER SEAL**

Hearing Date: JULY 29, 2019

Time: 10:00 a.m.

Courtroom: F

**Place: 15th Floor
450 Golden Gate Ave.
San Francisco, CA**

Judge: The Hon. Jacqueline S. Corley

Plaintiffs **ALI SALEEM BEY** and **JOHN MUHAMMAD BEY** submit this application pursuant to Rule 7-11 of the Civil Local Rules for an order authorizing the Plaintiffs to file documents in opposition to Defendant's Motion for Summary Adjudication under seal. This motion is based on the grounds that documents at issue, produced by Defendant City of Oakland are confidential and have been marked confidential in accordance with the Protective Order (Docket No. 96). Specifically, the documents at issue include police reports, investigation reports, and other confidential documents related to police investigation. As such, the documents should be filed under seal.

Courts have long recognized a "general right to inspect and copy public records and

PLAINTIFF'S ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL

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documents, including judicial records and documents.” *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 & n.7 (1978). But this right is not absolute. To balance the competing interests of the public’s right of inspection against litigants’ need for confidentiality, a party seeking to file under seal matters related to dispositive motions must provide “compelling reasons” to do so. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006). A compelling reason exists in this case because the documents relate to confidential police investigations and have been deemed confidential and subject to the protective order.

Plaintiffs respectfully request that the Court grant their motion to file the following documents under seal from the Declaration of A. Cabral Bonner in opposition to Defendants’ Motion for Summary Adjudication.

- a. Exhibit 2: Deposition of Ersie Joyner
- b. Exhibit 4: Deposition of Paul Figueroa
- c. Exhibit 5. Deposition of Patrick Caceres
- d. Exhibit 6: Excerpts of DOJ Longmire Interview
- e. Exhibit 7: 04-019500 LRMS Waajid Bey
- f. Exhibit 8: 05-034462 Case Notes
- g. Exhibit 9: 05-034462 John Bey Incident Report
- h. Exhibit 10: 05-034462 Police Reports
- i. Exhibit 11: 07-0538 Log
- j. Exhibit 13: 07-0538 CPRB Complaint
- k. Exhibit 14: 7/12/07 Dellums Letter to DA
- l. Exhibit 15: 07-059842 CPRB Follow-up Report
- m. Exhibit 16: 07-0553 Log
- n. Exhibit 17: 07-0553 DOJ Report
- o. Exhibit 19: 13-1062 10/4/13 Email from Lois to Griffin
- p. Exhibit 20: 13-1062 11/6/13 CRPB Continued Complaint
- q. Exhibit 21: 13-1062 Log
- r. Exhibit 22: 13-1062 Email Notice to Downing Regarding Sustained Allegation

- s. Exhibit 23: 13-1062 4/15/14 Email Cunningham to Supriano
- t. Exhibit 24: 13-1062 ASB Closing Out
- u. Exhibit 25: 13-1062 JMB Closing Out
- v. Exhibit 26: 13-1062 Report
- w. Exhibit 28: 13-1062 Att 1-13 Joyner Transcript
- x. Exhibit 29: Outlaw Email Letter 8/15/13
- y. Exhibit 30: 13-1062 Letters and Emails to OPD
- z. Exhibit 32: 13-1062 CPRB Notice and Complaint
- aa. Exhibit 38: Deposition of William Griffin
- bb. Exhibit 39: CID Call Schedule
- cc. Exhibit 40: 7/25/07 IAD Note
- dd. Exhibit 45: Letter Dated February 21, 2013
- ee. Exhibit 46: Letter Dated November 30, 2012
- ff. Exhibit 47: Letter Dated November 5, 2012
- gg. Exhibit 48: Letter Dated February 8, 2013
- hh. Exhibit 49: Complaint Investigation Report
- ii. Exhibit 50: Letter Dated January 7, 2013
- jj. Exhibit 53: Photos of John Bey and Crime Scene
- kk. Exhibit 54: 05-0538 Complaint Investigation Report
- ll. Exhibit 55: 10/4/11 Email from Robyn Clark to Robert Messier
- mm. Exhibit 58: 13-1062 CPRB Case Assignment Form
- nn. Exhibit 59: Bey's Complaints

DATED: July 9, 2019

RESPECTFULLY SUBMITTED
LAW OFFICES OF BONNER AND BONNER

By:/s/ A. Cabral Bonner
A. CABRAL BONNER, ESQ.
ATTORNEY FOR PLAINTIFF